

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: KINDLEIN, Johann et al
Appl. No.: NEW Group:
Filed: March 30, 2004 Examiner:
For: SOLID STATE BRACHYTHERAPY APPLICATOR

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION CONCURRENT WITH THE
FILING OF A NEW PATENT APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 30, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. ☐ This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☒ This application was filed on or after June 30, 2003. Accordingly, copies of cited US patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

- c. ☐ This application is a National Phase of a PCT application. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should be forwarded from the International Search Authority. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

- b. ☒ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

The relevancy of the foreign language documents can be determined from a review of the English language Abstracts attached thereto.

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III) (A) (3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

BY  #78380
Joe McKinney Muncy, #82,334

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

KM/msh

Attachment(s): ☒ Form PTO-1449(s)
☒ Documents
☒ Foreign Search Report
☐ Fee
☐ Other: _____

(Rev. 02/12/2004)

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				ATTY. DOCKET NO. 3560-0137PUS1		APPLICATION NO. NEW	
				APPLICANT KINDLEIN, Johann et al			
				FILING DATE March 30, 2004		GROUP	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 5,729,583	A	1998-03-17	Tang et al.			
	US 6,477,233	b1	2002-11-05	Ribbing et al.			
	US 6,320,935	B1	2001-11-20	Shinar et al.			
	US						
	US						
	US						
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	US						
	US						
	US						

FOREIGN PATENT DOCUMENTS									
	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	WO	97/07740	A1	1997-03-06	WO			ABS	
	WO	01/85255	A1	2001-11-15	WO			ABS	
	EP	0 860 180	A2	1998-08-26	EUROPE				
	EP	1 316 330	A1	2003-06-04	EUROPE				
	DE	198 29 444	A	2000-01-27	GERMANY			ABS	
	DE	198 54 287	A1	2000-06-08	GERMANY			ABS	

OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.